

REMARKS/ARGUMENTS

Claims 1-8 are pending in the Application. By this Amendment, claims 1 and 4 are being amended to improve their form. Entry of the Amendment under 37 C.F.R. § 1.116 as placing the application in condition for allowance or alternatively in better form for appeal, and reconsideration and allowance in view thereof, are respectfully requested. No new matter is involved.

An IDS (Information Disclosure Statement) is enclosed. The IDS lists 6 references cited in an Office Action of February 2, 2004 which issued in connection with U.S. Application Serial No. 09/499,229. Consideration of the references is requested.

In Paragraph 3 which begins on page 3 of the Office Action, claims 1-3 and 7 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 5,751,354 of Suzuki, et al. In paragraph 5, which begins on page 5 of the Office Action, claims 4-6 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki '354 in view of U.S. Patent 5,793,422 of Mochizuki et al. These rejections are respectfully traversed, particularly in view of the claims as amended herein.

In paragraph 1 on page 2 of the Office Action, the Examiner disagrees with Applicant's prior comments regarding the Suzuki et al. reference, and states that such reference clearly discloses a coarse exposure adjustment circuit for calculating second exposure information based on performed readout from photometric area and some pixels in transfer portion, and calculates black level of the image signal on the basis of the integrated signal. The reference is also said to disclose the fine exposure adjustments circuit for generating stable exposure information.

In response, Applicant is amending claims 1 and 4 herein in order to more clearly distinguish patentably over the art. More specifically, the solid-state

imaging apparatus of claim 1 is being amended so that the driving circuit thereof is defined as discharging the information charges accumulated in each of the plurality of light receiving elements of the solid-state image sensor "for every vertical scanning." Further on, claim 1 is amended by adding thereto the recitation "the first exposure information generating circuit generates the first exposure information based on the second exposure information during a predetermined period." Such amendatory language is based on the description at line 21 of page 10 through line 2 of page 11 of the specification. ✓

Also, although Suzuki '354 describes application of final exposure adjustment after coarse exposure adjustment, the reference fails to describe application of final exposure adjustment while conducting coarse exposure adjustment. Therefore, Suzuki cannot attain suitable switching of exposure information in the case of images, such as moving images or preview images, which are taken successively. ✓

In contrast, and in accordance with the present invention as now defined in claims 1 and 4, while conducting an exposure operation during a predetermined period, based on an exposure condition which is instantly determined using second exposure information, first exposure information which can realize stable exposure is obtained during the predetermined period based on the second exposure condition. This enables suitable shifting to stable exposure using the first exposure information immediately after the predetermined period. Suzuki neither describes nor suggests such a structure as defined in claims 1 and 4 as amended herein. Therefore, claims 1 and 4 are submitted to clearly distinguish patentably over Suzuki '354 in the case of claim 1 and over the attempted combination of Suzuki '354 and Mochizuki et al. '422, in case of claim 4.

Claims 2 and 3 depend from and contain all of the limitations of claim 1 so that such claims are also submitted to clearly distinguish patentably over the art.

Appl. No. 09/512,754

Attorney Docket No. 005586-20033 (81784.0025)

Amdt. Dated:

Customer No.: 26021

Reply to Office Action of February 11, 2004

In addition, claims 5-8 depend from and contain all of the limitations of claim 4, so that such claims are also submitted to clearly distinguish patentably over the art.

In conclusion, claims 1-8 are again submitted to clearly distinguish patentably over the prior art in view of the amendments to claims 1 and 4 herein. Accordingly, entry of this Amendment under the provisions of 37 C.F.R. § 1.116 as placing the application in condition for allowance or alternatively in better form for appeal, and reconsideration and allowance in view thereof, are respectively requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6846 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

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Date: April 27, 2004

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